

## NEBRASKA ADMINISTRATIVE CODE

### Title 129 - Department of Environmental Quality

#### Chapter 27 - HAZARDOUS AIR POLLUTANTS, MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT)

001 Notwithstanding any other provisions of these regulations, Sections 63.70 through 63.81 of Title 40 Code of Federal Regulations (CFR) Part 63, Subpart D, effective December 29, 1992, pertaining to compliance extensions for early reductions, are hereby adopted and incorporated by reference.

002 Requirement for new, modified, or reconstructed sources of hazardous air pollutants. A permit as required under section 001.01H of Chapter 17 will be issued for construction, reconstruction, or modification of a source with the potential to emit any hazardous air pollutant in an amount equal to or in excess of two and one-half (2.5) tons/year or more of any hazardous air pollutant or an aggregate of ten (10.0) tons/year or more of any hazardous air pollutants only if best available control technology (BACT), as determined by the Director, is applied for each hazardous air pollutant and the source will comply with all other requirements of these regulations. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under Chapters 18, 23, 27, or 28.

003 Requirements for new or reconstructed major sources of hazardous air pollutants. A permit as required under section 001.01H of Chapter 17 for construction or reconstruction of a source with the potential to emit an amount equal to or in excess of 10 tons per year of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, will only be issued if maximum achievable control technology (MACT), as determined by the Director, is applied, and the source is required to comply with all other requirements of these regulations.

003.01 For purposes of this section, 40 CFR Part 63, sections 63.40(b); 63.41; 63.42(c); 63.43(a), (b), and (d); and 63.44, as in effect on December 27, 1996, are hereby adopted and incorporated by reference.

003.02 Except as provided in 003.01, the provisions and procedures of Chapter 17 and 002 above apply.

## Title 129

### Chapter 27

004 This section is reserved for requirements to be established under Section 112(i) of the Act.

005 Notwithstanding any other provisions of these regulations, Sections 63.50 through 63.56 of Title 40 Code of Federal Regulations (CFR) Part 63, Subpart B, as amended at 67 Federal Register 16582 on April 5, 2002, pertaining to maximum achievable control technology determinations for emission units subject to case-by-case determination of equivalent emission limitations, are hereby adopted and incorporated by reference.

006 This section is reserved for requirements to be established under Section 112(r) of the Act.

Enabling Legislation: Neb. Rev. Stat. §§81-1504(1)(2); 81-1505(12)(16)

Legal Citation: Title 129, Ch. 27, Nebraska Department of Environmental Quality